

Amendment
Serial No. 10/522,728
Attorney Docket No. 052040

AMENDMENTS TO THE DRAWINGS

The attached replacement sheets of drawings include changes to Figs. 1 and 5.

REMARKS

Claims 1-13 are pending in the present application and are rejected. Claims 1 and 11-13 are herein amended. New claims 14-19 are added herein.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 1-3, 5, 6 and 9-13 were rejected under 35 U.S.C. §102(e) as being anticipated by Yamanaka et al. (JP 2003-180774).

It is the position of the Office Action that Yamanaka discloses the invention as claimed. Yamanaka is directed at a therapeutic device equipped with a hand massaging function. As illustrated in Figures 10-12, the device of Yamanaka includes a chair body 2 having a seat, a back, a leg rest and arm rests. Arm rest section 21 is illustrated in detail in Figures 4-9. Arm rest section 21 includes arc-shaped standing wall 211, which is shaped such that it partially covers hand part 3. Included on the upper portion of arm rest section 21 are swell bags 12, which are inflated and deflated by air feeding equipment 14 via hoses 13. Additionally, at a lower portion of the device, adjacent to the seat, oscillating members 15 are disposed. As stated in paragraph [0029], these oscillating portions 15 act to vibrate the arm rest section 21.

In response to the rejection, Applicants respectfully submit that independent claims 1, 11 and 12 distinguish over Yamanaka for at least the reason that Yamanaka does not disclose that "said tunnel-shaped support has an arch shape extending from side to side of said armrest such that the tunnel-shaped support strides from side to side over the massagee's arm or hand." In other words, the claimed embodiments recite a support which completely surrounds the

Amendment
Serial No. 10/522,728
Attorney Docket No. 052040

massagee's arm. On the other hand, in the device of Yamanaka, the massagee's arm or hand is only *partially* surrounded.

With regard to claim 13, Applicants herein distinguish over Yamanaka by reciting pressing the massagee's arm against an armrest with an air cell that is "provided on an inner surface of a tunnel-shaped support having an arch shape extending from side to side of the armrest such that said tunnel-shaped support strides over the massagee's arm or hand from side to side." As discussed above, Yamanaka does not disclose or suggest this. Rather, Yamanaka only discloses pressing a massagee's arm against an armrest with an air cell provided on an inner surface of a standing wall 211 extending from the position located at one side of the arm rest in the width direction only to the position located above the armrest. Therefore, Applicants respectfully submit Yamanaka does not disclose or suggest the embodiments as claimed. Favorable reconsideration is respectfully requested.

Claims 1-3, 6 and 9-13 were rejected under 35 U.S.C. §102(e) as being anticipated by Hata et al. (U.S. Patent No. 6,491,652).

It is the position of the Office Action that Hata discloses the invention as claimed. Hata is directed at massage device with flexible support straps. As illustrated in Figures 1(a) and 1(c), the device includes airbags 2 attached to straps 3. Straps 3 are attached to supporting body 14. Air is supplied to airbags 2 by air supply means 4 via pipes 40. Body part 9 is thus massaged.

In response, Applicants respectfully submit that that Hata does not disclose "a tunnel-shaped support provided to stand from said armrest so as to enable the massagee's arm or hand

placed on said armrest to be inserted therein” or that “said tunnel-shaped support has an arch shape extending from side to side of said armrest such that the tunnel-shaped support strides from side to side over the massagee’s arm or hand.” Rather, Hata discloses a U-shaped open configuration such that body part 9 is placed into the gap between the airbags 2 attached to strap body 3. Hata only discloses a U-shaped open configuration passing under the massagee’s arm. The structure of Hata cannot press the massagee’s arm against the armrest. Instead, it can only press the massagee’s arm upward, away from the armrest. Accordingly, Applicants respectfully submit that Hata does not disclose or suggest the invention as recited by claims 1, 11 and 12.

Additionally, as discussed above, Applicants herein amend claim 13 to recite that the massagee’s arm is pressed against an arm rest by an air cell “provided on an inner surface of a tunnel-shaped support having an arch shape extending from side to side of the armrest such that said tunnel-shaped support strides over the massagee’s arm or hand from side to side.” As discussed above, Hata only discloses a U-shaped open configuration passing under the massagee’s arm. Therefore, Hata cannot disclose or suggest the method as claimed. Favorable reconsideration is respectfully requested.

Applicants’ Response to Claim Rejections under 35 U.S.C. §103

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hata in view of JP 58-180160 (“JP ‘160”).

It is the position of the Office Action that Hata discloses the invention as claimed, with the exception of an acupressure element provided with the armrest for performing acupressure to

Amendment
Serial No. 10/522,728
Attorney Docket No. 052040

the arm or hand being pressed with the massage air cell. The Office Action relies on JP '160 to provide this teaching. In response, Applicants respectfully submit that claim 4 is patentable at least due to its dependency on claim 1, which Applicants submit is patentable for at least the reasons discussed above. Favorable reconsideration is respectfully requested.

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hata in view of Kitadou et al. (U.S. Patent No. 6,494,850).

It is the position of the Office Action that Hata discloses the invention as claimed, with the exception of the armrest moving backward in conjunction with the motion of the backrest reclining backward and moving forward in conjunction with the motion of the backrest rising forward, and the tunnel-shaped support moving forward and backward according to the forward and backward movement of the armrest. The Office Action relies on Kitadou to provide these teachings.

Kitaduo is directed at a relaxation apparatus. Kitaduo discloses a reclining chair 1, including a pair of armrests 13 attached to reclining back 11. The Office Action points to Figures 38A and 38B. It is the position of the Office Action that these armrests 13 move back and forward with the motion of the backrest. In response, Applicants respectfully submit that claims 7 and 8 are patentable at least due to their dependency on claim 1.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

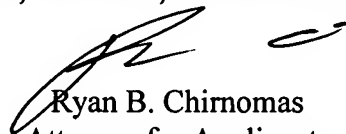
Amendment
Serial No. 10/522,728
Attorney Docket No. 052040

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Ryan B. Chimomas
Attorney for Applicants
Registration No. 56,527
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

RBC/nrp

Enclosures: Replacement drawing sheets corresponding to Figures 1 and 5